

# Exhibit A

To

## JOINT REPORT REGARDING POST-STAY SCHEDULING AND DISCOVERY

*Hi-Lex Corporation Incorporated, et al. v. Blue Cross Blue Shield of Michigan*  
Case No. 11-cv-12557

Exhibit A: Second Amended Scheduling Order (Phase I)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BORROUGHS CORPORATION and  
BORROUGHS CORPORATION  
EMPLOYEE BENEFIT PLAN,

Case No. 11-cv-12565  
Honorable Victoria A. Roberts

Plaintiffs,

v.

BLUE CROSS AND BLUE SHIELD OF  
MICHIGAN,

Defendant.

and

HI-LEX CONTROLS INCORPORATED, HI-  
LEX CORPORATION and HI-LEX  
CORPORATION HEALTH AND WELFARE  
PLAN,

Case No. 11-cv-12557  
Honorable Victoria A. Roberts

Plaintiffs,

v.

BLUE CROSS AND BLUE SHIELD OF  
MICHIGAN,

Defendant.

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**SECOND AMENDED SCHEDULING ORDER (PHASE I)**

**PLEASE DOCKET IMMEDIATELY;  
NO FURTHER NOTICE OF THESE DATES WILL BE SENT**

1. Exchange of Initial Disclosures under FRCP 26(a)(1): completed.
2. Deadline to Amend: postponed.
3. Deadline for supplemental identification of all witnesses, including experts: completed.

(Expert disclosure must be accompanied by a written report of the expert, as required by FRCP 26(a)(2), unless the parties stipulate otherwise.) The disclosure of expert witnesses not required to provide expert reports under FRCP 26(a)(2)(C), must conform to the requirements of FRCP 26(a)(2)(C), as amended December 1, 2010. The parties are urged to familiarize themselves with other important changes to FRCP 26(a)(2) and (b)(4) effective December 1, 2010. Please note that expert opinions cannot change between the date for close of discovery and date trial is to begin.

4. Deadline for all outstanding written discovery served before the Stay ordered on June 20, 2012: November 30, 2012
5. Deadline for Blue Cross to produce -- on a rolling basis -- the requested documents based on the witnesses and search terms to which the parties agreed at the October 22, 2012 status conference: February 14, 2013.
6. Status Conference: February 26, 2013.
7. Deadline for completing discovery: March 29, 2013.
8. Tentative trial date: April 23, 2013.

**PLEASE NOTE THE FOLLOWING:**

1. The parties **may not stipulate** to extend any dates if it impacts the settlement conference date set by the Court.
2. **Briefing Schedule:** Unless specifically addressed in this Order, the local court rules apply for filing responses and replies to motions.
3. **All briefs** shall comply strictly with LR 7.1 (Statement of Issues, Statement of Controlling/Most Appropriate Authority), and, in addition, must contain a Table of Contents, an Index of Authorities and an Index of Exhibits. The Exhibits must be tabbed. Unpublished cases should be attached. **Counsel are to highlight relevant portions of exhibits to which the Court's attention should be directed.** Furthermore, the format requirements as set forth in LR 5.1 must be strictly adhered to. A courtesy copy of all motions and briefs must be submitted directly to Judge Roberts' chambers.
4. **Motion hearings:** Pursuant to L.R. 7.1(e)(2), the Court will decide motions on the briefs filed, **UNLESS** the Court issues a Notice of Motion Hearing.

**THE ABOVE CONSTITUTES AN ORDER OF THIS COURT.**

Dated: \_\_\_\_\_

Honorable Victoria A. Roberts  
United States District Court